

April 5, 2004

Exemption No. 8287
Regulatory Docket No. FAA-2004-17352

Mr. Don M. Newman
One Seaside Lane #801
Belleair, FL 33756

Dear Mr. Newman:

By letter dated February 10, 2004, you petitioned the Federal Aviation Administration (FAA) for an exemption from § 91.109(a) and (b)(3) of Title 14, Code of Federal Regulations (14 CFR). This exemption, if granted, would allow Mr. Newman to conduct certain flight training and to provide simulated instrument flight experience in certain Beech airplanes that are equipped with a functioning throw-over control wheel.

The FAA issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Grant of Exemption No. 6156 (copy enclosed), the FAA found that Mr. Geitz is an experienced flight instructor with many years of instruction using a throw-over control wheel. Also, Mr. Geitz narrows the request in the petition to allow him to provide flight training to meet recency of experience requirements for rated pilots only. During the entire training period, the pilot receiving the training must serve as and remain pilot in command (PIC) and agree to the provisions of this exemption. Mr. Geitz must be fully qualified to serve as PIC and as a flight instructor in Beech Baron, Bonanza, or Travel Air type airplanes and must have given at least 25 hours of dual instruction in that type of airplane. However, under the provisions of this exemption, training of uncertificated airmen may not be conducted at any time.

The FAA determined that with certain conditions and limitations, the flight training can be conducted while maintaining a level of safety equivalent to that provided by the affected regulation.

AFS-04-301

Having reviewed your reasons for requesting an exemption, I find that they do not differ materially from those presented by the petitioner in the enclosed grant of exemption. In

addition, I have determined that the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present.

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701, delegated to me by the Administrator, Don M. Newman is granted an exemption from 14 CFR § 91.109(a) and (b)(3) to the extent necessary to allow him to conduct certain flight training and to provide simulated instrument flight experience in certain Beech airplanes that are equipped with a functioning throw-over control wheel. This exemption is subject to the following conditions and limitations:

1. Operations under this exemption are limited to flights for completion of the flight review required by § 61.56 and for accomplishing recency of experience as required by § 61.57.
2. Operations under this exemption are limited to Beech Baron, Bonanza, and Travel Air type airplanes equipped with a functioning throw-over control wheel and operable rudder pedals, in lieu of functioning dual controls.
3. The pilot manipulating the controls under the terms of this exemption must be qualified in every respect to serve as PIC of the airplane during the entire flight. While operating under this exemption, the pilot seated in the left seat must at all times serve as and remain PIC as defined in 14 CFR § 1.1. The PIC must agree to the provisions of this exemption.
4. While serving as a flight instructor under the terms of this exemption, Mr. Newman must:
 - a. Notwithstanding paragraph 4(b) below, be otherwise fully qualified to serve as PIC and flight instructor in the airplane involved, as required by 14 CFR § 61.195(b) and (f); and
 - b. Have given at least 25 hours of dual instruction in the airplane involved.

5. Mr. Newman, when serving, as the flight instructor under the conditions of this exemption, and the PIC must agree that the proposed flight, under the conditions in evidence at the time of proposed flight, can be conducted safely.

This exemption terminates on April 30, 2006, unless sooner superseded or rescinded.

Sincerely,

/s/

John M. Allen

Acting Director, Flight Standards Service